2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the 1995 resolution and 2000 outcome on the Middle East Working Paper submitted by Egypt to Main Committee II

1. The presence of an advanced unsafeguarded nuclear programme in the Middle East and the threat posed by such a programme to the security of the region had prompted Egypt and the States of the region to address this issue in several forums from an early date; beginning in the General Assembly in 1974, by calling for the establishment of a nuclear-weapon-free zone in the Middle East, and at the General Conference of the International Atomic Energy Agency (IAEA), by calling for the application of IAEA safeguards in the Middle East, as well as at successive review conferences of the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Since 1974, the General Assembly has annually adopted resolutions calling for the establishment of a nuclear-weapon-free zone in the Middle East, and since 1979 has annually adopted resolutions addressing the risk of nuclear proliferation in the Middle East.

3. The outcome of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consisted of a package of three decisions and one resolution:

- Decision on strengthening the review process for the Treaty;
- Decision on principles and objectives for nuclear non-proliferation and disarmament;
- Decision on the extension of the Treaty;
- Resolution on the Middle East. This resolution called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards.

4. The 2000 Review Conference reaffirmed the importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognized that the resolution remains valid until its goals and objectives are achieved. It also recognized that the resolution is an essential element of the outcome of the 1995 Review Conference and of the basis on which the Treaty on the

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Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.

5. Recognizing that all States of the Middle East, with the exception of Israel, had acceded to the Treaty, the 2000 Review Conference welcomed the accession by those States and reaffirmed the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

6. Furthermore, the 2000 Review Conference invited all States to issue and transmit declarations of support for establishing an effectively verifiable Middle East zone free of nuclear weapons, as well as other weapons of mass destruction, to the Secretary-General and to take practical steps towards that objective, and requested all States parties to report to the President of the 2005 Review Conference on the steps they have taken to promote the achievement of such a zone and the realization of the goals and objectives of the 1995 resolution. Pursuant to the mandate issued by the 2000 Review Conference to the Secretary-General, a compilation of those reports is contained in document NPT/CONF.2005/15.

7. The outcome of the 2000 Review Conference and the 1995 resolution on the Middle East represent a cumulative result that should be the point of departure for the 2005 Review Conference. At the same time, the outcome of the 1995 Review and Extension Conference of the Treaty represents an integrated whole, which would be compromised if any of its components were compromised.

8. Today, in May 2005, Israel remains the only State in the Middle East that has not acceded to the Treaty or placed its nuclear facilities under full-scope IAEA safeguards.

9. During the 2005 Review Conference, the States parties to the Treaty are expected to assess progress towards implementing that resolution since 1995 and the 2000 outcome, and to recommend a course of action for the full realization of its objectives. That task should be entrusted to a subsidiary body of the Conference to be established for that purpose.

10. Egypt believes that the States parties to the Treaty, in their consideration of the implementation of the 1995 resolution and 2000 outcome on the Middle East, should consider progress towards the fulfilment of the 2000 outcome, namely accession by Israel to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards.

11. The Conference should adopt a commitment of States parties regarding specific actions to be taken during the forthcoming review cycle, given the lack of progress on the part of Israel towards accession to the Treaty or placement of its nuclear facilities under comprehensive safeguards. Such actions should include:

- Undertaking not to transfer nuclear-related material, technology or information to Israel, notwithstanding prior contracts or commitments;
- Commitment to deny access to nuclear-related facilities and laboratories to scientists and researchers from Israel.

12. States parties should report to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Preparatory Committee meetings to be held in advance of that Conference, on the

status of trade in or transfer of nuclear or nuclear-related material or technology between them and Israel, as well as on the status of scientific cooperation or exchange in the nuclear field during the period preceding each session of the Preparatory Committee and Review Conference. The Secretariat is requested to prepare a compilation of those reports for consideration of this matter at the Preparatory Committee meetings and the 2010 Review Conference.

13. Furthermore, the Conference should consider appropriate measures to encourage and monitor progress towards realizing the goals of the resolution between successive review conferences, through an appropriate institutional structure of the Treaty that may be exclusively devoted to the Middle East or to a broader institutional arrangement. The measures should include:

- A standing committee that would initiate contacts with Israel and report on progress to successive review conferences and their Preparatory Committee meetings. The committee could be composed of the Chairman or bureau of each session of the Preparatory Committee and the three sponsors of the 1995 resolution;

- A special representative/envoy of the States parties to the Treaty supported by the Secretariat to undertake good offices with Israel on its accession to the Treaty, and report on progress to successive review conferences and their Preparatory Committee meetings.

14. States parties should continue to report through the Secretariat to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps they have taken to promote the achievement of a zone free of nuclear weapons in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East and of the outcome of the 2000 Review Conference on the Middle East. The Secretariat is requested to prepare a compilation of those reports for consideration of these matters at the Preparatory Committee meetings and the 2010 Review Conference.

15. It is imperative that a process be institutionalized for the follow-up and implementation of the 1995 resolution on the Middle East and the 2000 outcome on the Middle East until their objectives are fully realized. Failure to do so will ultimately undermine the credibility of the non-proliferation regime and the Treaty on the Non-Proliferation of Nuclear Weapons.